

Journal - Office of Legislative Counsel  
Tuesday - 10 October 1978

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X1 6. [ ] LEGISLATION Spoke with Mr. Paul Rosenthal, Counsel for the Senate Governmental Affairs Committee.

In response to my query, Paul stated that the Civil Service Act had not yet been printed, that he did not know when it would be and that all that is currently available is the Conference Report, a copy of which we already have in the form of the Congressional Record.

X1 7. [ ] LEGISLATION Called Bob Linder, Chief Executive Clerk, White House Office of Administration and Budget, to inquire as to Presidential action on H.R. 12598. Mr. Linder informed me that the President has signed the enrolled bill (the President had until 7 October to act) and that to his knowledge a signing statement will accompany the Act. Tracey Cole, OMB, subsequently confirmed this information.

X1 8. [ ] LEGISLATION Spoke with Larry Hammond, Deputy Assistant Attorney General, Department of Justice, to bring him up to date on the Federal Accounting and Auditing bill, H.R. 12171. Mr. Hammond said that he had just reviewed a letter to be sent under Pat Wald's signature to Senator James O. Eastland (D., Miss.), indicating that the Justice Department has serious concerns with the legislation, and in their view the bill should be referred to Senate committee where hearings could take place.

X1 9. [ ] LEGISLATION Spoke with Bob Kimmet and Sam Hoskinson, NSC staff, regarding H.R. 12171, after the SCC Charter Working Group Meeting. Bob said he is aware of the problems that may develop with regard to the "shall be reviewable" language in the Brooks' amendment. He asked what we think should be done. I indicated that we'd like to see the bill derailed, viz., taken off the "table" and referred to a Senate committee where Executive Branch concerns could be seriously considered. Bob said he'd take this matter to Frank Moore's staff to see what he could do.

X1 10. [ ] LEGISLATION Spoke with [ ] NSA General Counsel, with regard to H.R. 12171, the "Federal Accounting and Auditing Act of 1977." [ ] recalled an earlier discussion I had with him on the same subject and reiterated NSA's opinion that the bill causes them no trouble since GAO is already reviewing their accounts. I told [ ] that there was a new wrinkle to the bill, the aspect of HPSCI/SSCI reviewability, and directed his attention to the appropriate pages in the Congressional Record. I asked [ ] to review the matter and let us know if NSA has any problems.

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27. [Redacted] LEGISLATION Called Margaret McKenna, Deputy Counsel to the President, to advise her of the status of H.R. 12171, the action we had taken with respect to Senate leadership and suggested that if indeed they had constitutional concerns they should be thinking of expressing them through Frank Moore, Assistant to the President for Congressional Liaison, or any way they think would be appropriate. She appreciated our keeping her advised and said she had initiated a review on the basis of my previous call.

28. [Redacted] LEGISLATION Called Earl Eisenhower, Senate Select Committee on Intelligence staff, to explain our problem and to ask his assistance and said I was sending up appropriate comments for his perusal and possible use.

FREDERICK P. HITZ  
Legislative Counsel

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JOURNAL

OFFICE OF LEGISLATIVE COUNSEL

Friday - 6 October 1978

X1 1. [ ] LIAISON Called Pete Roman, on the staff of the Senate Governmental Affairs Subcommittee on Federal Spending Practices and Open Government, to make arrangements for his review of material relating to the Agency's dealings with GSA on safes produced by a subsidiary of Art Metal, Inc., a prime subject of the investigation the Subcommittee is doing on GSA.

X1 2. [ ] LIAISON Carl Duckett, former Agency employee (DDS&T), called, as has been his habit in the past, to advise that he had been called by Henry Myers, Special Consultant, House Interior and Insular Affairs Committee, probably to discuss matters relating to [ ]

X1 3. [ ] LIAISON In connection with Senator George McGovern's (D., S. Dak.) letter of 3 October, we were in touch with Howard Liebengood, Legislative Assistant to the Senate Minority Leader, and Sam Hoskinson, NSC staff, and have received every indication of support for backing the Senate Select Committee on Intelligence in a claim that the sensitive information at issue is within the exclusive jurisdiction of the Senate Select Committee on Intelligence. Politically, leadership will want to get involved in this issue only after the Select Committee has taken a first step.

X1 4. [ ] LIAISON Contacted Margaret McKenna, Deputy Counsel to the President, to alert her to the possible constitutional and other problems involving the President's confidential funds authority as a result of H.R. 12171, Representative Jack Brooks' (D., Texas) bill on confidential funds. Furthermore, Howard Liebengood, Legislative Assistant to the Senate Minority Leader, was contacted and asked that they temporarily hold the bill at the desk to assure that final action by the Senate is not taken until the Executive Branch has an opportunity to develop and present its position.

X1 5. [ ] LIAISON Jack Brady, Chief of Staff, House International Relations Committee, called to advise that he would be visiting Ireland in the next couple of weeks and during his absence Lew Gulik, also on the Committee staff, should receive the NID and would be our contact point in the event matters arise during his absence.